

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION

STANLEY LEE BROWN, JR., et al.,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action: 6:24cv00039
)	
THE CITY OF LYNCHBURG, et al.,)	
)	
Defendants.)	

MOTION TO AMEND PRETRIAL SCHEDULE

Defendants City of Lynchburg, Officer Garrett Waterman, Officer Ciarra D. Joyner, Officer Raymond Shelton, and Officer Keelan Wallace (the “Defendants”), by counsel, move to amend the pretrial schedule and in support thereof state as follows:

1. Counsel for Defendants has discussed this motion with counsel for the Plaintiffs and counsel for Plaintiffs agrees to the relief sought in this motion.

2. The pretrial schedule in the Court’s order of September 11, 2024 (ECF No. 10) sets the deadline for Plaintiffs’ initial expert disclosure for 75 days from the order, for Defendants’ initial expert disclosure for 90 days from the order, and to complete discovery 90 days before trial.

3. The parties filed a Rule 26(f) report on September 16, 2024 (ECF No. 11) that changed the deadline for Plaintiffs’ initial expert disclosure to 150 days before trial and Defendants’ initial expert disclosure to 120 days before trial, and set the deadline for rebuttal expert disclosures to 90 days before trial.

4. Trial in this matter is scheduled for August 13-14, 2025, making the deadline for Plaintiffs' initial expert disclosure March 17, 2025, the deadline for Defendants' initial expert disclosure April 15, 2025, and the deadline for the rebuttal expert disclosures May 15, 2025.

5. Plaintiffs filed their First Amended Complaint by right pursuant to Rule 15(a)(1)(B) on October 1, 2024 (ECF No. 19), naming Officer Ciarra D. Joyner, Officer Raymond Shelton, and Officer Keelan Wallace as additional defendants under a theory of bystander liability (the "Bystander Defendants").

5. The Bystander Defendants timely filed a joint motion to dismiss and memorandum in support on January 21, 2025 (ECF 42&43) that is still pending before this Court.

6. Due to the uncertainty regarding whether the Bystander Defendants will remain in the case, the parties have not yet retained experts.

7. Accordingly, Defendants request that the Court extend the deadline for Plaintiffs' initial expert disclosure to 90 days before trial (May 15, 2025), the deadline for Defendants' initial expert disclosure to 60 days before trial (June 14, 2025), and the deadline for rebuttal expert disclosures to 45 days before trial (June 29, 2025).

WHEREFORE, Defendants respectfully move the Court for entry of an order extending the deadline for Plaintiffs' initial expert disclosure to 90 days before trial, for Defendants' initial expert disclosure to 60 days before trial, and for rebuttal expert disclosures to 45 days before trial.

CITY OF LYNCHBURG, GARRETT
WATERMAN, CIARRA D. JOYNER,
RAYMOND SHELTON, and KEELAN
WALLACE

By: /s/ John R. Fitzgerald

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CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of April, 2025, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to:

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